

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

CLERK
SO. DIST. OF GA.

ALI YOHUN MYRICK,

Plaintiff,

v.

UNICARE, a Wellpoint Company,

Defendant.

CASE NO. CV410-293

O R D E R


Before the Court is the Magistrate Judge's Report and Recommendation (Doc. 10), to which objections have been filed (Doc. 13). After a careful de novo review of the record, the Court finds Plaintiff's objections to be without merit. Accordingly, the report and recommendation is **ADOPTED** as the Court's opinion in this case, and Plaintiff's complaint is **DISMISSED WITH PREJUDICE**. The Clerk of Court is **DIRECTED** to close this case.

In his objections, Plaintiff reiterates the basis of his complaint: Defendant is wrongfully withholding the proceeds of his father's life insurance policy. While the Court takes no position on the accuracy of Plaintiff's allegations,¹ what Plaintiff fails to understand is that he

¹ In adopting the report and recommendation, this Court does not mean to suggest that Plaintiff's claims are without merit. The Court has no way of making that determination

cannot obtain the relief he seeks by proceeding in federal court under 42 U.S.C. § 1983. That provision does not give this Court jurisdiction over Plaintiff's claims. Rather, state court, not federal court, is the appropriate place for Plaintiff to have his dispute resolved.

SO ORDERED this 25th day of April 2011.


WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

at this time. The Court is simply stating that Plaintiff cannot bring this type of claim in federal court under 42 U.S.C. § 1983.